

1 YUMA COUNTY PUBLIC FIDUCIARY  
2 300 WEST SECOND STREET  
3 YUMA, ARIZONA 85364  
4 (520) 329-2240  
5  
6  
7

FILED  
97 MAR -3 PM 3:34

BEVERLY FRAME  
CLERK OF SUPERIOR COURT  
YUMA, ARIZONA 85364

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

9 **IN AND FOR THE COUNTY OF YUMA**

10  
11 IN THE MATTER OF THE )  
12 FEES OF THE YUMA ) ADMINISTRATIVE ORDER 97-12  
13 COUNTY PUBLIC FIDUCIARY )  
14 \_\_\_\_\_ )

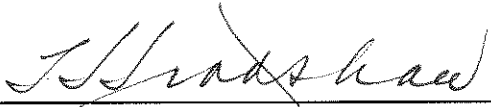
15 **ORDER**

16 The YUMA COUNTY PUBLIC FIDUCIARY having filed a Motion to Modify the  
17 Fee Schedule of the Public Fiduciary Fee Schedule and finding good cause therefore,

18 IT IS ORDERED that the YUMA COUNTY PUBLIC FIDUCIARY'S Fee Schedule  
19 attached to and made part of this Order is hereby approved.

20 IT IS FURTHER ORDERED that the effective date for use of these fees shall be  
21 effective this day, March 3, 1997.

22 DATED this 3<sup>d</sup> day of March, 1997

23  
24  
25   
26 H. Stewart Bradshaw  
Presiding Judge of Yuma County Superior Court

OFFICE OF THE  
PUBLIC FIDUCIARY  
Yuma County  
Yuma, Arizona 85364  
EXHIBIT "B"

Yuma County Public Fiduciary

ADMINISTRATIVE FEE SCHEDULE

All fees of the Yuma County Public Fiduciary are subject to approval of the Superior Court, with notice of the requested fees and the hearing date given to relatives and other interested parties as required by law. Ordinarily, no fee will be taken until it has been approved by the Court. In certain instances, however, good cause exists to take a fee prior to Court approval, such as to minimize an estate's tax liability in a given year, or to spend down the estate to qualify for governmental benefits. In these instances, if the fee taken is not subsequently approved by the court in whole or in part, then the portion not approved will be reimbursed to the estate. Expenses of administration are an expense against the estate. Deferment is made on the basis of indigency, special circumstances, or medical need.

Time Chart:		MINUTES	FRACTION	CHARGE
Fees shall be calculated according to the following schedule:	<b>PROFESSIONAL TIME:</b> Public Fiduciary \$60.00 Asst. Public Fiduciary Case Manager 40.00	6	.1	\$ 6.00
		12	.2	12.00
		18	.3	18.00
		24	.4	24.00
		30	.5	30.00
		36	.6	36.00
		42	.7	42.00
		48	.8	48.00
		54	.9	54.00
		60	1.0	60.00

\*Companionship service should not exceed \$15.00 an hour plus mileage at \$0.29/mile. These are companionship services over and above the once monthly case manager contact already covered by the annual fee for guardian.

\*\*Contract or "out-sourced" services (those services not performed by an employee of the fiduciary) provided to the ward or protected person for such things as accounting services, investment management, inventorying, case management, and bookkeeping shall be billed to the ward in the same amount as paid by the fiduciary for each such service.

**SERVICE PROVIDED:**

- |   |          |
|---|----------|
| 1. Referral/Investigation   | \$300.00 |
| 2. Set up fee for guardian/conservator -<br>*allowed in the first year only | 150.00   |
| 3. Annual Accounting  | 200.00   |
| 4. Final Accounting   | 250.00   |

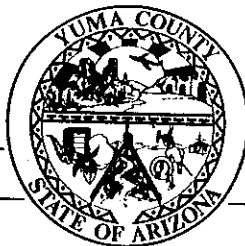


EXHIBIT "B"

## EXHIBIT "B"

### ADMINISTRATIVE FEE SCHEDULE (Continued)

5. Annual fee for guardian/conservator for annual casework minimal contact requirement-quarterly visits	300.00
6. Termination Fee	\$175.00
7. Funeral Arrangements	150.00
8. Final Distribution Fee	100.00
9. Annual Estate Management *Includes routine bookkeeping, check writing, records management	360.00
10. Filing Fees preparation of Petition for Deferral of Filing Fees	20.00

### COSTS AND SUPPLIES:

Mileage.....	Mile/\$.29
Copies.....	Copy/\$.10
Phone- Long Distance Calls.....	Flat Rate \$3.00
Facsimile.....	Flat Rate \$3.00
Photographs.....	Photo \$.60 ea.
Postage.....	40 ea. mailing
*actual cost of bulk postage costs	

### ADDITIONAL SERVICES:

Legal Representation	Accounting Services
Investigator Fees	Tax Preparation
Auction or Estate Sales Fees	Brokerage Fees (Real Property)
Appraisal Fees	

### GLOSSARY - PUBLIC FIDUCIARY FEE SCHEDULE

**Referral & Investigation** are charged and relate to identifying the need for fiduciary services.

**Accounting Fees** the fees charged to meet the statutory requirements of a conservator. Fees include the preparation of the Charge and Discharge Statement.

**Termination Fee** contributes to the costs involved in closing a case due to the transfer of responsibility to a successor fiduciary, or to the ward who has recovered from legal disability, or the estate no longer needing fiduciary services. Documents are prepared for closing and storage.

**Annual Fee for Guardianship/Conservatorship** caseworker minimal contact required quarterly. In practice, most wards are seen more frequently to assure that their personal, financial, and medical needs are being met. This fee is charged to contribute to the time and valuable services in these personal visits.

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2 300 WEST SECOND STREET  
3 YUMA, ARIZONA 85364  
4 (520) 329-2240

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97 MAR -3 PM 3:34  
BEVERLY IRAME  
CLERK OF SUPERIOR COURT  
YUMA, ARIZONA 85364

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

6 IN AND FOR THE COUNTY OF YUMA

7  
8 IN THE MATTER OF THE ) MOTION TO MODIFY  
9 FEES OF THE YUMA ) FEE SCHEDULE OF  
10 COUNTY PUBLIC FIDUCIARY ) THE YUMA COUNTY  
PUBLIC FIDUCIARY

11 COMES NOW, Catherine R. Robbins, the Yuma County Public Fiduciary, and  
12 hereby moves the Court for an Order Modifying the Fee Schedule previously signed by the  
13 Court on the 25th day of March, 1997, a copy of which is attached hereto as Exhibit "A".


14 This motion is based upon a review of other counties public fiduciary fee schedules and the  
15 Fiduciary Fee Guidelines set forth by Administrative Order No. 96-017 Superior Court of  
16 Arizona, Maricopa County adopted by the Arizona Fiduciary Association.

17 A copy of the proposed Fee Schedule is attached hereto as Exhibit "B".

18 Respectfully submitted this 3<sup>rd</sup> Day of March, 1997.

19  
20 DATED this 3<sup>rd</sup> day of March, 1997.

21  
22 CATHERINE R. ROBBINS  
23 Yuma County Public Fiduciary  
24 300 West Second Street  
25 Yuma, AZ 85364

26   
Catherine R. Robbins  
Yuma County Public Fiduciary

YUMA COUNTY PUBLIC FIDUCIARY  
300 WEST SECOND STREET  
YUMA, ARIZONA 85364  
(602)329-2240

**EXHIBIT "A"**

FILED  
93 MAR 25 AM 3:15

DEPT. OF CLERK OF SUPERIOR COURT  
YUMA, ARIZONA 85364

IN THE SUPERIOR COURT OF STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YUMA

In the Matter of the	)	MOTION FOR APPROVAL OF
Fees of the Yuma	)	PUBLIC FIDUCIARY FEE
County Public Fiduciary	)	SCHEDULE
	)	

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COMES NOW the YUMA COUNTY PUBLIC FIDUCIARY and hereby moves this Court for an Order Approving the Fee Schedule, as attached Exhibit "A", of the Office of the YUMA COUNTY PUBLIC FIDUCIARY. This motion is based upon the following facts:

1. Yuma County requires all applications of fiduciaries for compensation for services to include a detailed statement of services performed, the time involved.

2. The YUMA COUNTY PUBLIC FIDUCIARY currently serves as Court-appointed Guardian, Conservator, or Personal Representative in over 130 cases;

3. The YUMA COUNTY PUBLIC FIDUCIARY office has a staff size of only 3 people to handle this caseload.

4. Most of the persons or estates served by the YUMA COUNTY PUBLIC FIDUCIARY's office are indigent or nearly indigent.

5. Compliance with fee schedule promotes the efficient administration of the YUMA COUNTY PUBLIC FIDUCIARY's guardianships, conservatorship, and decedents' estates and allows the YUMA COUNTY PUBLIC FIDUCIARY to maintain a great volume of cases;

6. With the approval of this fee schedule all fees taken

will remain subject to Court approval;


7. The YUMA COUNTY PUBLIC FIDUCIARY has heretofore been operating under a similar fee schedule implemented in January of 1985, see exhibit B attached to this motion;

8. The current Fee Schedule is in need of revision to reflect more accurately present office operations. In addition, periodic Court review of the YUMA COUNTY PUBLIC FIDUCIARY's fees schedule is appropriate;

9. The revised Fee Schedule accurately reflects the current actual costs incurred for standard duties attendant to the administration of estates in which the YUMA COUNTY PUBLIC FIDUCIARY has been appointed Guardian, Conservator, or Personal Representative, and for additional required work performed by particular YUMA COUNTY PUBLIC FIDUCIARY employees on special situations.

WHEREFORE, the YUMA COUNTY PUBLIC FIDUCIARY respectfully requests this Court enter its Order approving the FIDUCIARY as contained in the attached Order.

DATED this 25th day of March, 1993.

  
Catherine R. Robbins  
Yuma County Public Fiduciary  
300 West Second Street  
Yuma, Arizona 85364  
(602)329-2240

STATE OF ARIZONA )

County of Yuma )

ss

CATHERINE R. ROBBINS, being first duly sworn, deposes and says that she is the YUMA COUNTY PUBLIC FIDUCIARY, that he has read the foregoing motion and knows the contents thereof, and believes the same to be true and correct.

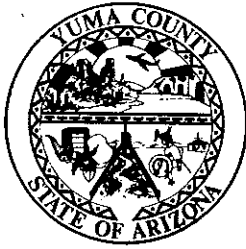
Catherine R. Robbins  
Affiant

SUBSCRIBED AND SWORN to before me this 25th day of March, 1993, by Catherine R. Robbins.

James M. Minium  
Notary Public

Commission Expiration:

4-9-95



# Yuma County Yuma, Arizona

OFFICE OF THE  
**PUBLIC FIDUCIARY**  
300 W. SECOND STREET  
YUMA, ARIZONA 85364  
PHONE (602) 329-2240

EXHIBIT "A"

## YUMA COUNTY PUBLIC FIDUCIARY FEE SCHEDULE

All fees of the Yuma County Public Fiduciary are subject to approval of the Superior Court, with notice of the requested fees and the hearing date given to relatives and other interested parties as required by law. Ordinarily, no fee will be taken until it has been approved by the Court. In certain instances, however, good cause exists to take a fee prior to Court approval. In these instances, if the fee taken is not subsequently approved by the Court in whole or in part, then the portion not approved will be reimbursed to the estate. Expenses of administration are an expense against the estate.

Deferment is made on the basis of indigency, special circumstances, or medical need.

Fees shall be calculated according to the following schedule:

### GUARDIANSHIP AND/OR CONSERVATORSHIP MATTERS:

Referral Investigation and Set Up Fee	\$150.00
Annual Accounting	100.00
Final Accounting Fee	150.00
Biannual Accounting Fee	150.00
Termination Fee	150.00
Estate Management*	120.00
Affidavit for Collection and/or Final Distribution Fee	50.00

\*Estate Management includes routine bookkeeping, record management and addressing wards basic needs.

### DECEDENTS' ESTATES MATTERS:

Referral Investigation and Set Up Fee	150.00
Final Distribution Fee	50.00
Termination Fee	150.00
Final Accounting Fee	150.00



HOURLY FEE ASSESSMENT FOR PROFESSIONAL SERVICES

The following hourly fees may be charged for work performed by the Yuma County Public Fiduciary and/or the Assistant Public Fiduciary for documented work utilizing services of routine casework:

Public Fiduciary or Assistant Public Fiduciary                      \$ 50.00

Routine casework includes but is not limited to:

Inventories, Court ordered reports, attendance at conferences, records search, guardianship reports, visits, funeral arrangements, and hearings.

EXTRAORDINARY COSTS AND FEES: based on actual costs incurred

Postage	Telephone calls	} these costs will be billed in in cases which extensive time or costs are expended
Mileage	Facsimile	

Additional services which may be an expense against the estate are:

Legal Representation  
Accounting Services  
Visitor Fees  
Tax Preparation  
Auction or Estate Sale Fees  
Appraisal Fees  
Brokerage Fees (Real Property)

## YUMA COUNTY PUBLIC FIDUCIARY

EXHIBIT "B"

FEE SCHEDULE

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Description of charges	Current Fee
Public Fiduciary	\$50 per hr.
Deputy Public Fiduciary	25 per hr.
Office duties for additional staff work	\$15 per hr.
Staff for inventories, auctions, storage	\$10 per hr.
* Hazardous duty for staff	\$30 per hr.

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## Guardian/Conservator Matters:

Open new file	\$100.00
Annual accounting	\$100.00
Per-line-item (bookkeeping/computer)	\$ 6.00
Closing fee	\$100.00

Expenses of administration are also an expense  
against the estate.

## Probate Matters:

Open new file	\$200.00 (flat fee)
Annual accounting	\$100.00
Per-line-item (bookkeeping/computer)	\$ 6.00
Closing fee	\$100.00 (flat fee)

- \* Physical or mental harassment while performing mandated services; contact with vermin; contact with personal effects of deceased bodies, and the bodies; duplicity of work required as the result of events not under our control.

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Increases over previous years' fees:

\$10.00 per hour for Public Fiduciary legal work.  
\$ 6.00 per-line-item (bookkeeping/computer)  
\$25.00 per hour for Deputy Public Fiduciary (mental health work and  
\$30.00 per hour hazardous duty. probate inventory super-  
vision)

These are the only increases as of 1/1/85, and all fees currently  
are comparable to other public fiduciary offices in Arizona.

(1/85 Approved)

OFFICE OF THE  
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<b>PROFESSIONAL TIME:</b>				
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Asst. Public Fiduciary				
Case Manager	40.00			

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**EXHIBIT "B"**

## EXHIBIT "B"

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